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REMARKS

Claims 1 and 2 are combined, and claim 2 is canceled without prejudice to reentry. New claims 12-14 are supported at the beginning and the end of the specification, and T-shirts are illustrated in the drawing. New claim 15 is merely a rewording of claim 1. The new claims are patentable for the reasons below. In response to the outstanding Office Action:

(1) The specification was objected to. Correction is made as required.

(2-9) Claims 1-11 are rejected under 35 U.S.C. §103(a) as being obvious over Alsenz, US 5,035,119 in view of Fu et al., US 5,433,019. This rejection is respectfully traversed.

Correlation Data. In regard to claim 2 (now in claim 1), the Examiner points to Alsenz's storage means 200, which is "capable of storing correlation data" (page 4, line 2 of § 8 in the Action). With respect, the correlation feature *itself* is not disclosed, as "correlation" does not occur in Alsenz; the Examiner merely asserts that, if there *were* a correlation feature, it *could* be stored. With respect, that does not amount to disclosure. Possession of a hat does not insure that a rabbit can be pulled out of it.

Timer. The Applicants further traverse on the basis of the asserted "timer" 170 disclosed by Alsenz in Fig. 4. Unlike the Applicants' claimed timer, this timer 170 is used only for "flushing" oil from the evaporator coils (col. 12, line 62 to col. 13, line 5), which the timer 170 does by forcing the valve 38 to remain open for a predetermined interval (col. 13, line 6 to col. 13, line 36). Alsenz' timer 170 has no other function, and therefore does not anticipate "a timer for detecting operation time of the heat pump

apparatus," recited in claim 2. Alsenz' timer 170 *detects* nothing; instead, it is "for generating a time interval" (col. 13, line 9).

Other Features Not Disclosed. In general, the Examiner asserts that other features are disclosed by Alsenz, but there are no citations for most of these features. For example, in the last seven lines on page 4, the Examiner cites to the reference for disclosing a "processing means" but does not supply a single citation for any of the features following. The lack of citations continues onto page 5. For example, there is no "operation time" mentioned in Alsenz, contrary to the Examiner's assertion that is unsupported by citation; the word "estimating" does not occur in Alsenz; and so on. With respect, the bulk of claim 2 is only asserted to be disclosed, without any support at all, whether by citation or by argument or explanation, and this is also true of features in the dependent claims.

Refrigeration. The Examiner applies Alsenz for a basic refrigeration type circuit, citing temperature sensor 54, expansion valve control circuit 10, and an expansion valve. Alsenz discloses a system that is solely for *refrigeration*, in which *humidity* is not a concern. Neither "humidity," nor "moisture," nor "drying," occur in the Alsenz reference. The Examiner admits that Alsenz does not disclose the dryer features that are claimed by the Applicants, and relies on Fu for these.

Fu discloses a device for drying tea leaves in a particular way, a way that is "capable of preserving volatile flavors" (Fu's object, at col. 2, line 6). Preserving flavor is, of course, unrelated to either general refrigeration or drying. Fu has no refrigeration apparatus at all (being disjoint from Alsenz in this regard) and provides electric heaters

for *raising* the air temperature. Thus, Fu is not a "refrigeration system" (Alsenze claim 1 at col. 21, line 15).

Drying Apparatus. For humidity control, Fu uses a dehumidifier 11 that is full of chemical dessicant ("absorbents like silica gel," col. 3, line 26), together with a humidifier 41 that will "spray a proper amount of water so as to lift up the humidity" (col. 4, line 20).

Alsenz teaches nothing about drying, and Fu teaches not drying but rather maintaining a constant humidity. Even if combined, the result would not be a "drying apparatus" as claimed: the result would be a humidifier for tea leaves.

Disparate Fields. The Applicants respectfully submit that, if the claims were indeed obvious, the Examiner could have found a patent from the general dryer art rather than the food-processing art. There is no patent class shared by these two references; Fu is in class 34, while Alsenz (and also Tanaka) are in class 62. Class 34 is understood to be the class for general dryers, such as clothese driers: but no *general* dryer, such as the clothes dryer disclosed (and now claimed) by the Applicants, is cited.

New Claims. The new claims 12-14, in particular, could not result from a combination of a tea humidifier and a refrigerator.

(10, 13) In ¶ 10 on page 5, the Examiner states that no weight is being given to any functional limitations. This statement is traversed. The claims use language that is definitely structural (e.g., "sensor") or"means for" language that is structural by statute. New claim 15 addresses any possible lack of structural recitation (not admitted) in claim 1.

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(11-12) Claims 9 and 10 rejected under 35 U.S.C. §103(a) as being obvious over Alsenz in view of Fu and Tanaka, US 4,620,424. This rejection is respectfully traversed on the grounds above.

(14-17) The Examiner rejects claims 1, 9, and 10 for double patenting over the claims 1-4 of US 7,191,543. This rejection is moot by the present amendment, which incorporates non-rejected claim 2 into claim 1.

In view of the aforementioned amendments and accompanying remarks, the application is submitted to be in condition for allowance, which action is requested.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571-273-8300) on February 17, 2009.

Nick Bromer (reg. no. 33,478) *Signature* Nick Bromer